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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 LEOPOLDO CARDENAS,

8 Petitioner,

9 v.

10 ROBERT INGVALSON, ANDY
11 MILLER, TERRY BLOOR and
LARRY ZEIGLER,

12 Respondents.
13

NO: 4:18-CV-5043-TOR

ORDER DISMISSING PETITION
WITH PREJUDICE

14 By Order filed April 30, 2018, the Court advised Petitioner of the deficiencies
15 of his Petition for Writ of Habeas Corpus by a Person in State Custody pursuant to
16 28 U.S.C. § 2254, and directed him to amend. Petitioner, a prisoner at the
17 Washington State Penitentiary, is proceeding *pro se* and *in forma pauperis*. The
18 named Respondents have not been served.

19 Specifically, the Court directed Petitioner to limit his petition to challenging
20 the judgment or judgments of a single state court as required by Rule 2(3) of the

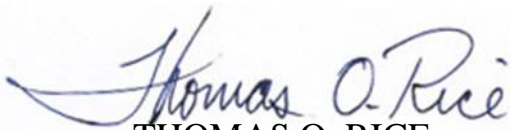
1 Rules Governing Section 2254 Cases; to show that he is “in custody pursuant to the
2 judgment of a State court” as required by 28 U.S.C. § 2254(a), *see Lackawanna Cty.*
3 *Dist. Attorney v. Coss*, 532 U.S. 394, 401 (2001); to name his custodian as the proper
4 Respondent, *see Rumsfeld v. Padilla*, 542 U.S. 426 (2004); and to demonstrate that
5 his petition is timely under 28 U.S.C. § 2244(d)(1). Petitioner did not comply with
6 the Court’s directives and has filed nothing further.

7 Therefore, for the reasons set forth above and in the Order to Amend Petition,
8 ECF No. 5, **IT IS ORDERED** that the Petition, ECF No. 6, is **DISMISSED with**
9 **prejudice** for lack of personal jurisdiction over the named Respondents, for want of
10 custody, and as untimely under the Anti-terrorism and Effective Death Penalty Act
11 (“AEDPA”), 28 U.S.C. § 2244(d).

12 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order,
13 enter judgment, provide copies to Petitioner, and close the file. The Court certifies
14 that pursuant to 28 U.S.C. § 1915(a)(3), an appeal from this decision could not be
15 taken in good faith, and there is no basis upon which to issue a certificate of
16 appealability. 28 U.S.C. § 2253(c); Fed. R.App. P. 22(b).

17 **DATED** July 11, 2018.




THOMAS O. RICE
Chief United States District Judge